

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

Google Inc.,)	
)	
<i>Plaintiff,</i>)	
)	
)	
)	
v.)	No. 3:14cv981 HTW-LRA
)	
)	Declaration of Patrick Thomas in
)	Support of Plaintiff Google Inc.'s Motion
Jim Hood, Attorney General of the State)	for Temporary Restraining Order and
of Mississippi, in his official capacity,)	Preliminary Injunction
<i>Defendant.</i>)	
)	

I, Patrick Thomas, hereby declare as follows:

1. I have been an employee of Google Inc. ("Google" or the "Company") since June 2011. I am a Senior Policy Specialist at Google, focusing on the Company's product policies, including its policies relating to Autocomplete. This declaration is based on my personal knowledge, review of relevant Google business records, and conversations with other Google personnel, and I am competent to so testify if called upon as a witness.

Attorney General Jim Hood and the Subpoena Served on October 27, 2014

2. I understand that in his papers opposing Google's motion for a preliminary injunction, the Mississippi Attorney General has alleged that he has not "chilled" Google's speech because Google has not changed its conduct in response to the various threats and investigative steps the Attorney General has taken. That is not correct.

3. Starting in April 2013, the Attorney General began pressuring Google to make

changes to its editorial judgment about what Autocomplete predictions would be blocked from appearing in response to user queries. Following various threats from the Attorney General, Google blocked various Autocomplete predictions. Although Google was not required by law to make changes to its editorial judgment, it blocked Autocomplete predictions, in part, to address concerns raised by the Attorney General.

4. For example, Google blocked any Autocomplete prediction including the phrase “without a prescription,” even though there are many queries to which such a prediction would be entirely appropriate. As a result, a user typing a query about the availability of the allergy remedy Claritin (once available only by prescription but now available over the counter), will no longer see the prediction “claritin d without a prescription.”

5. Google also blocked several Autocomplete predictions related to the phrase “how to get away with murdering.” This decision had the unintended consequence of blocking Autocomplete predictions for the popular ABC television show *How to Get Away with Murder*.

6. The Attorney General’s threats to bring legal action against Google if it did not restrict certain content were an important factor in the decision to block these two Autocomplete predictions.

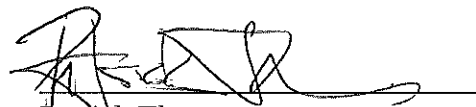
7. I have reviewed certain letters, press statements, and transcripts of speeches from Mississippi Attorney General Jim Hood, made over the last 19 months, in which he has identified certain specific Autocomplete predictions as objectionable. Each of the Autocomplete predictions that the Attorney General has identified as objectionable had been previously entered into Google’s search engine by a Google user.

8. The Attorney General’s threats continue to burden Google’s speech and threaten to

chill it to this day by attaching potentially significant consequences to Google's expression of its editorial judgment as to whether to block the Autocomplete algorithm from making certain predictions.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 21, 2015, in Mountain View, California.



Patrick Thomas